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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No. A8810

ABILEAH, Shahaf, et al.

Appln. No. 09/849,813

Group Art Unit: 2126

Confirmation No. 1991

Examiner: Diem K. Cao

Filed: May 4, 2001

For: COBOL METAMODEL

SUBMISSION OF TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith is a Terminal Disclaimer in the above-identified application. A check in the amount of \$110.00 is attached. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this Submission is attached.

Respectfully submitted,

Billy Carter Raulerson

Billy Carter Raulerson
Registration No. 52,156

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
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WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: September 22, 2004



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P.O. Box 1450
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Sir:

The undersigned, on behalf of the petitioner, INTERNATIONAL BUSINESS MACHINES CORPORATION, represents that the petitioner, INTERNATIONAL BUSINESS MACHINES CORPORATION is the owner of the entire right, title and interest of: (1) U.S. Application No. 09/849,105, filed on May 4, 2001 for IMS-MFS (MESSAGE FORMAT SERVICE) METAMODEL by virtue of an Assignment from all of the inventors thereof executed on April 19 to April 23, 2001, recorded on May 4, 2001 at Reel 011835, Frame 0573; (2) U.S. Application No. 09/849,190, filed on May 4, 2001 for HIGH LEVEL ASSEMBLER METAMODEL by virtue of an Assignment from all of the inventors thereof executed on April 19, 2001, recorded on May 4, 2001 at Reel 011834, Frame 0787, which issued as U.S. Patent No. 6,775,680 on August 10, 2004; (3) U.S. Application No. 09/849,377, filed on May 4, 2001 for TYPE DESCRIPTOR METAMODEL by virtue of an Assignment from all of the inventors thereof executed on April 19 to May 2, 2001, recorded on May 4, 2001 at Reel 011835, Frame 0561; (4) U.S. Application No. 09/849,563, filed on May 4, 2001 for PL/I METAMODEL by virtue of an Assignment from all of the inventors thereof executed on April 19, 2001, recorded on May 4, 2001 at Reel 011791, Frame 0245; (5) U.S. Application No. 09/849,816, filed on May 4, 2001 for IMS TRANSACTION MESSAGES METAMODEL by virtue of an Assignment

TERMINAL DISCLAIMER

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Attorney Docket No. A8810 / SLV920010035US1

from all of the inventors thereof executed on April 19 to April 23, 2001, recorded on May 4, 2001 at Reel 011835, Frame 0554; and (6) U.S. Application No. 10/310,343, filed on December 4, 2002 for TYPE DESCRIPTOR LANGUAGE (TDLANGUAGE) METAMODEL by virtue of an Assignment from all of the inventors thereof executed on December 3, 2002, recorded on December 5, 2002 at Reel 013576, Frame 0158, as well as the entire right, title and interest in the above-captioned U.S. Application No. 09/849,813 by virtue of an Assignment from all of the inventors thereof executed on April 19 to May 2, 2001, recorded on May 4, 2001, at Reel 011835, Frame 0594.

Petitioner hereby certifies that the above-mentioned Assignments have been reviewed and to the best of petitioner's knowledge and belief, title is in petitioner who is seeking to take this action.

Petitioner hereby disclaims the terminal part of any patent granted on the above-captioned U.S. Application No. 09/849,813 which would extend beyond the expiration of the full statutory term as presently shortened by any terminal disclaimer of any patent issuing from U.S. Application Nos. 09/849,105; 09/849,190 (having issued as U.S. Patent No. 6,775,680 on August 10, 2004); 09/849,377; 09/849,563; 09/849,816 and 10/310,343, and hereby agrees that any patent so granted on the above-captioned U.S. Application No. 09/849,813 shall be enforceable only for and during such period that the legal title to any patent issuing from U.S. Application Nos. 09/849,105; 09/849,190 (having issued as U.S. Patent No. 6,775,680 on August 10, 2004); 09/849,377; 09/849,563; 09/849,816 and 10/310,343 shall be the same as the legal title to said patent issuing from the above-captioned U.S. Application No. 09/849,813, this agreement to run with any patent granted on the above-captioned U.S. Application No. 09/849,813 and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-captioned U.S. Application No. 09/849,813 prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of any patent issuing from U.S. Application Nos. 09/849,105; 09/849,190 (having issued as U.S. Patent No. 6,775,680 on August 10, 2004); 09/849,377; 09/849,563; 09/849,816 and 10/310,343 in the event that any patent issuing from

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U.S. Application Nos. 09/849,105; 09/849,190 (having issued as U.S. Patent No. 6,775,680 on August 10, 2004); 09/849,377; 09/849,563; 09/849,816 and 10/310,343 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a Reexamination Certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The undersigned is an attorney of record.

Respectfully submitted,



Date: September 22, 2004

Billy Carter Raulerson
Reg. No. 52,156



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**REVOCATION OF POWER OF ATTORNEY AND
APPOINTMENT OF NEW ATTORNEYS BY ASSIGNEE**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INTERNATIONAL BUSINESS MACHINES CORPORATION, states that it is the assignee of record of the entire right, title, and interest in the above-identified application by virtue of an assignment recorded in the U.S. Patent and Trademark Office at Recl 011835, Frame 0594, and hereby revokes all prior powers of attorney and authorizations of agent given in the above-identified application and appoints all attorneys of SUGHRUE MION, PLLC who are listed under the USPTO Customer Number provided below as its attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, recognizing that the specific attorneys listed under this USPTO Customer Number may be changed from time to time at the sole discretion of Sughrue Mion, PLLC.

INTERNATIONAL BUSINESS MACHINES CORPORATION requests all correspondence for the above-identified application be addressed to the address filed under the same USPTO Customer Number.

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CUSTOMER NUMBER

The undersigned is authorized to act on behalf of the assignee.

Respectfully submitted,

Date

9/20/04

Karna J. Nisewaner

Typed or printed name

Karna J. Nisewaner
Signature
Staff Attorney, Intellectual Property Law
Title

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: INTERNATIONAL BUSINESS MACHINES CORPORATIONApplication No./Patent No.: 09/849,813Filed/Issue Date: May 4, 2001Entitled: COBOL METAMODELINTERNATIONAL BUSINESS
MACHINES(Name of Assignee) , a Corporation

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- the assignee of the entire right, title, and interest; or
- an assignee of less than the entire right, title and interest.

The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

A. An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 011835, Frame 0594, or for which a copy thereof is attached.

OR

B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

9/20/04
Date(408) 463-5891
Telephone number

Karna J. Nisewaner

Typed or printed name

Signature

Staff Attorney, Intellectual Property Law

Title